

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

IN RE: KRISTEN ADAMS,

Bankr. Case No. 3:20-bk-1690-RCT

Debtor,

KRISTEN ADAMS

Appellant

Case No. 3:20-cv-1414-J-34

vs.

FIDUS ROOFING AND CONSTRUCTION,
LLC,

Appellee.

ORDER

THIS CAUSE is before the Court on Appellant's Emergency Motion for Temporary Injunction and/or Permanent Injunction Against Fidus Roofing and Construction LLC Pending Appeal Rule 8 (A) (1) (Doc. 2; Motion), filed on December 18, 2020. In the Motion, Appellant seeks entry of a temporary injunction prohibiting Appellee Fidus Roofing and Construction, LLC from recording a lien against Appellant, or taking any "preliminary actions to enforce or collection [sic] on the judgement, if it has already been recorded." See Motion at 4-6. Upon review of the Motion, the Court finds that Appellant has failed to establish any imminent, irreparable harm.¹ As such, Appellant's Motion is due to be denied

¹ Indeed, to the extent Appellant is concerned about the potential for an imminent foreclosure on certain real property, the Court notes that the Order on Amended Motion for Relief From the Automatic Stay entered on December 15, 2020, in the bankruptcy proceedings provides that, if the bankruptcy case is still pending, Appellee must return to the bankruptcy court for "further modification of the automatic stay" prior to foreclosing on the subject real property. See Motion, Ex. 1 ¶ 3.

at this time. See Ne. Fla. Chapter of Ass'n of General Contractors of Am. v. City of Jacksonville, Fla., 896 F.2d 1283, 1285 (11th Cir. 1990) (“The basis of injunctive relief in the federal courts has always been irreparable harm and inadequacy of legal remedies.” (quoting Sampson v. Murray, 415 U.S. 61, 88 (1974))). In light of the foregoing, it is

ORDERED:

The Emergency Motion for Temporary Injunction and/or Permanent Injunction Against Fidus Roofing and Construction LLC Pending Appeal Rule 8 (A) (1) (Doc. 2) is **DENIED without prejudice.**

DONE AND ORDERED in Jacksonville, Florida, this 21st day of December, 2020.


MARCIA MORALES HOWARD
United States District Judge

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Copies to:

Counsel of Record
Pro Se Parties